

STATE OF TENNESSEE
Department of Commerce and Insurance
500 James Robertson Parkway
Nashville, TN 37243-1131
PH - 615.532.5260, FX - 615.532.2788
Jerald.E.Gilbert@tn.gov

July 17, 2012

Fireman'S Fund Insurance Company
800 S. Gay Street, Ste 2021, % C T Corp.
Knoxville, TN 37929-9710
NAIC # 21873

Certified Mail
Return Receipt Requested
7011 2970 0003 4363 4244
Cashier # 4252

Re: Envy Twenty-Seven, Llc V. Fireman'S Fund Insurance Company

Docket # 2-351-12

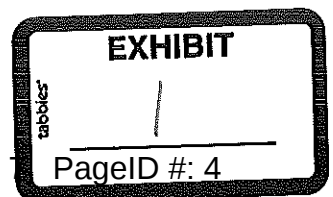
To Whom It May Concern:

Pursuant to Tennessee Code Annotated § 56-2-504 or § 56-2-506, the Department of Commerce and Insurance was served July 17, 2012, on your behalf in connection with the above-styled proceeding. Documentation relating to the subject is herein enclosed.

Jerald E. Gilbert
Designated Agent
Service of Process

Enclosures

cc: Circuit Court Clerk
Knox County
400 Main Avenue, Rm M-30 C/C Bldg
Knoxville, Tn 37902



STATE OF TENNESSEE
CIRCUIT COURT OF KNOX COUNTY

FILED

ENVY 27, LLC d/b/a MOTEL 6,

Plaintiff

v.

FIREMAN'S FUND INSURANCE COMPANIES,

Defendant

2012 JUL -5 P 3:32

CATHERINE F. QUIST
CIRCUIT COURT CLERK

Civil Action No. 2-351-12

SUMMONS

Serve: Fireman's Fund Insurance Companies, which is the Plaintiff's Business Policy Carrier. (Policy No. A S4 AZC 80849893) (Policy holder Envy 27, LLC d/b/a Motel 6). Serve through the Commissioner of Insurance for the State of Tennessee.

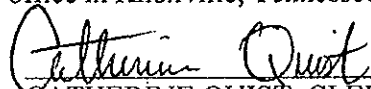
You are hereby summoned and required to serve upon

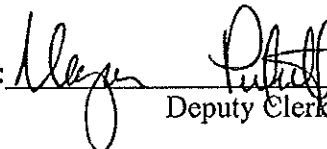
Edward L. Summers
Whose address is: 900 S. Gay Street, Suite 2107
Knoxville, Tennessee 37902

a true copy of the Answer to the Complaint which is herewith served upon you, within 30 days after service of this Summons upon you, exclusive of the day of service. The original Answer shall be filed with the Court, 400 Main Avenue, Suite M-30, Knoxville, Tennessee 37902. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.

Issued this 5 day of July, 2012.

Witness, Catherine Quist, Clerk of said Court, at office in Knoxville, Tennessee.


CATHERINE QUIST, CLERK

By: 
Deputy Clerk

NOTICE TO THE DEFENDANT(S):

Tennessee law provides a ten thousand dollar (\$10,000.00) personal property exemption from execution of seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution of garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer. T.C.A. § 26-2-114.

2-2

Received this _____ day of _____, 2012.

Deputy Sheriff

I hereby certify and return that on the _____ day of _____, 2012, I served this summons together with the complaint as follows:

I failed to serve this summons within 30 days after its issuance because:

Sheriff - Deputy Sheriff

1. The first step in the process of the investigation is the identification of the problem. This is done by the investigator who is assigned to the case. The investigator must first identify the problem and then determine the scope of the investigation. This is done by the investigator who is assigned to the case.

2. The second step in the process of the investigation is the collection of data. This is done by the investigator who is assigned to the case. The investigator must first identify the problem and then determine the scope of the investigation. This is done by the investigator who is assigned to the case.

3. The third step in the process of the investigation is the analysis of the data. This is done by the investigator who is assigned to the case. The investigator must first identify the problem and then determine the scope of the investigation. This is done by the investigator who is assigned to the case.

4. The fourth step in the process of the investigation is the presentation of the findings. This is done by the investigator who is assigned to the case. The investigator must first identify the problem and then determine the scope of the investigation. This is done by the investigator who is assigned to the case.

5. The fifth step in the process of the investigation is the conclusion. This is done by the investigator who is assigned to the case. The investigator must first identify the problem and then determine the scope of the investigation. This is done by the investigator who is assigned to the case.

IN THE CIRCUIT COURT FOR KNOX COUNTY, TENNESSEE

ENVY 27, LLC d/b/a MOTEL 6,

Plaintiff

v.

FIREMAN'S FUND INSURANCE COMPANIES,

Defendant

2012 JUL -5 P 3: 32

CATHERINE E. JONES
CIRCUIT COURT
Docket No. 2351-12
JURY DEMAND

COMPLAINT

Comes the Plaintiff, Envy 27, LLC, and sues the Defendant, Fireman's Fund Insurance Companies, and for cause of action show to the Court as follows:

1. Envy 27, LLC, is a Tennessee limited liability company, with its principal office at 326 Lovell Road, Knoxville, Knox County, Tennessee 37933.
2. Defendant, Fireman's Fund Insurance Companies, is an insurance company authorized to transact business in the State of Tennessee. Process may be served upon the Commissioner of Insurance for the State of Tennessee.
3. Plaintiff is the owner of a hotel located at 326 Lovell Road, Knoxville, Tennessee, known as Motel 6. On or about March 5, 2011, Defendant issued its insurance policy to Plaintiff, being Policy #A S4 AZC 80849893, insuring Plaintiff against certain risks and perils, including property damage.
4. On April 27, 2011, Plaintiff's Motel 6 sustained severe and substantial damage from inclement weather, primarily a hail storm. Such damage is covered under Defendant's insurance policy.


5. The damages sustained by Plaintiff's motel include, but are not limited to, roof damage, carpet and furniture damage, signage damage, mold, and loss from business interruption.

6. Plaintiff has submitted a claim for the damage sustained by it, for which Defendant's insurance policy affords coverage. However, Plaintiff's claim has not been honored or paid, and suit is hereby commenced to recover the damages to which it is entitled under Defendant's policy of insurance.

7. On April 30, 2012, Plaintiff wrote Defendant, by certified mail advising that Defendant's refusal to pay Plaintiffs' claim was in bad faith as defined in Tenn. Code Ann. § 56-7-105. Therefore, Plaintiff avers that it is entitled to recover a 25% penalty on its claim pursuant to said statute.

WHEREFORE, Plaintiff sues the Defendant for damages not to exceed the sum of Five Hundred Thousand Dollars (\$500,000.00), and demands a jury of twelve (12) to try the issues joined herein.

ENVY 27, LLC d/b/a MOTEL 6

By: 
Edward L. Summers, #000628
Attorney for Plaintiff


HAYNES, MEEK, SUMMERS & STANUSZEK
900 S. Gay Street, Suite 2107
Knoxville, Tennessee 37902
(865) 546-8706

COST BOND

The undersigned acknowledge themselves bound for the costs of this cause, in accordance with Tenn. Code Ann. § 20-12-120.

This the 5 day of July, 2012.

**ENVY 27, LLC d/b/a MOTEL 6,
Principal**

By: 
Edward L. Summers

**HAYNES, MEEK, SUMMERS &
STANUSZEK, Surety**

By: 
Edward L. Summers, Attorney

FILED
2012 JUL -5 P 3:32
CATHY J. GOSL
CIRCUIT COURT CLERK

State of Tennessee
Department of Commerce & Insurance
500 James Robertson Parkway
Financial Affairs - Analytical Unit
Nashville, TN 37243

CERTIFIED MAIL™



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\$ 05.95⁰⁰
0004292626 JUL 19 2012
MAILED FROM ZIP CODE 37243

7011 2970 0003 4363 4244

7011 2970 0003 4363 4244 7/17/12
FIREMAN'S FUND INSURANCE COMPANY
800 S. GAY STREET, STE 2021, % C T CORP.
KNOXVILLE, TN 37929-9710

